

1 SHARTSIS FRIESE LLP  
 2 ARTHUR J. SHARTSIS (Bar #51549)  
 3 CHARLES R. RICE (Bar #98218)  
 4 JASON P. LEE (Bar #196520)  
 5 One Maritime Plaza, Eighteenth Floor  
 San Francisco, CA 94111  
 Telephone: (415) 421-6500  
 Facsimile: (415) 421-2922  
 Email: ashartsis@sflaw.com

6 Attorneys for Defendants  
 7 OCUMENTA CAPITAL HOLDINGS, INC.,  
 formerly known as OrthoClear Holdings, Inc.,  
 8 OCUMENTA, INC., formerly known as OrthoClear,  
 Inc., MUHAMMAD ZIAULLAH CHISHTI,  
 HUAFENG "CHARLES" WEN, PETER  
 9 RIEPENHAUSEN, ARTHUR T. TAYLOR,  
 SAIYED ATIQ RAZA, and JOSEPH BREELAND  
 10

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14 MICHAEL B. ESHELMAN, D.D.S.;  
 15 PETER F. SILCHER, D.D.S; and  
 Lori I. Silcher

16 Plaintiffs,

17 v.

18 ORTHOCLEAR HOLDINGS, INC.,  
 a British Virgin Islands Company;  
 19 ORTHOCLEAR, INC., a Delaware  
 Corporation; MUHAMMAD ZIAULLAH  
 20 CHISHTI, an individual; HUAFENG  
 "CHARLES" WEN, an individual; PETER  
 RIEPENHAUSEN, an individual;  
 ARTHUR T. TAYLOR, an individual;  
 22 SAIYED ATIQ RAZA, an individual;  
 CHRISTOPHER KAWAJA, an individual;  
 23 PATRICIA HUMELL SEIFERT, an  
 individual; JOSEPH BREELAND, an  
 individual; MUDASSAR RATHORE, an  
 individual; PAUL BADAWI, an  
 individual; 3i Technology Partners III LP;  
 and DOES 1 through 25, inclusive,  
 26

27 Defendants.  
 28

Case No. C 07-01429 JSW

**STIPULATED REQUEST AND  
 [PROPOSED] ORDER EXTENDING TIME**

Trial Date: No date set  
 Action Filed: March 12, 2007

SHARTSIS FRIESE LLP  
 ONE MARITIME PLAZA  
 EIGHTEENTH FLOOR  
 SAN FRANCISCO, CA 94111

1                   **STIPULATED REQUEST FOR ORDER EXTENDING TIME**

2                   Pursuant to Local Rules 6-2 and 7-12, Defendants Ocumenta Capital Holdings, Inc. (f/k/a  
3 OrthoClear Holdings, Inc.) ("OrthoClear"), Muhammad Ziaullah Chishti, Huafeng "Charles"  
4 Wen, Peter Riepenhausen, Arthur R. Taylor, Saiyed Atiq Raza, Christopher Kawaja, Patricia  
5 Humell Seifert, Joseph Breeland, Paul Badawi, 3i Technology Partners III, LP ("3i") (collectively  
6 "Defendants") and Plaintiffs Michael B. Eshelman, D.D.S., Peter F. Silcher, D.D.S., and Lori I.  
7 Silcher ("Plaintiffs") request that the Court enter an order adopting the briefing and hearing  
8 schedule below in connection with Defendants' planned motions pursuant to Rule 12(b)(6).

9                   **STIPULATION**

10                  WHEREAS on February 19, 2008, Plaintiffs filed their Third Amended Complaint;

11                  WHEREAS the Defendants currently are required to respond to the Third Amended  
12 Complaint no later than March 13, 2008;

13                  WHEREAS the Defendants intend to file motion to dismiss pursuant to Rule 12(b)(6);

14                  WHEREAS counsel for Defendants OrthoClear, Chishti, Wen, Riepenhausen, Taylor,  
15 Raza, and Breeland has a conflict with the briefing schedule required by the Federal Rules of  
16 Civil Procedure for the anticipated motions to dismiss;

17                  NOW THEREFORE, the Parties hereby stipulate that (1) any and all of Defendants'  
18 motions to dismiss pursuant to Rule 12(b)(6) will be heard on May 16, 2008, at 9:00 a.m.;  
19 (2) Defendants will file their motions on or before March 24, 2008; (3) Plaintiffs will file their  
20 opposition to Defendants' motions on or before April 18, 2008; and (4) Defendants will file their  
21 replies on or before April 30, 2008.

SHARTSIS FRIESE LLP  
ONE MARITIME PLAZA  
EIGHTEENTH FLOOR  
SAN FRANCISCO, CA 94111

1 DATED: February 28, 2008

SHARTSIS FRIESE LLP

2  
3 By: \_\_\_\_\_ /s/  
CHARLES R. RICE4  
5 Attorneys for Defendants  
OCUMENTA CAPITAL HOLDINGS, INC.,  
6 formerly known as OrthoClear Holdings, Inc.,  
OCUMENTA, INC., formerly known as  
7 OrthoClear, Inc., MUHAMMAD ZIAULLAH  
CHISHTI, HUAFENG "CHARLES" WEN,  
PETER RIEPENHAUSEN, ARTHUR T.  
8 TAYLOR, SAIYED ATIQ RAZA, and  
JOSEPH BREELAND  
910 Concurrence in the filing of this documents has been obtained by each of the other  
11 signatories.

12 DATED: February 28, 2008

ROBIE &amp; MATTHAI

13  
14 By: \_\_\_\_\_ /s/  
15 EDITH R. MATTHAI

16 Attorneys for Defendant Seifert

17 DATED: February 28, 2008

MCDERMOTT WILL &amp; EMERY

18  
19 By: \_\_\_\_\_ /s/  
20 DAVID ALEXANDER

21 Attorneys for Defendant Kawaja

22 DATED: February 28, 2008

ROPES &amp; GRAY

23  
24 By: \_\_\_\_\_ /s/  
25 RANDALL W. BODNER26 Attorneys for Defendants 3i and Badawi  
27  
28

DATED: February 28, 2008

## LAW OFFICES OF ALAN W. SPARER

By: \_\_\_\_\_ /s/  
ALAN W. SPARER

Attorneys for Plaintiffs

## ORDER

This Court, having reviewed this Stipulation of the parties, and good cause appearing therefore, orders that (1) Defendants' motion to dismiss pursuant to Rule 12(b)(6) will be heard on May 16, 2008, at 9:00 a.m.; (2) Defendants will file their motions to dismiss on or before March 24, 2008; (3) Plaintiffs will file their opposition to all of Defendants' motions to dismiss on or before April 18, 2008; and (4) Defendants will file their replies on or before April 30, 2008.

## **IT IS SO ORDERED.**

DATED: February 29, 2008

*Jeffrey S White*  
HON. JEFFREY S. WHITE  
UNITED STATES DISTRICT COURT JUDGE